redundant, secure, encrypted and viral scrubbed at the network level. My focus is largely concentrated on the survival and security of corporate or governmental communications. *Gartner* focuses on satellite communications while I do not. *Underwood* focuses on the flexible software architecture for a call processing system while I intend to lease IP VPNS on AT&TS meshed optical network.

As I went through the list, I saw the *Schnarel* disclosure on Graphical User Interfaces. I will do that on our Web site for application configuration. However, that is not something I am interested in implementing on a communications device level. *Burgess* discloses a method and system for performance monitoring in computer networks. This is not something I discuss in this patent application. *Blakely* discloses configurable password servers for use in a shared resource environment. While I do use passwords, DID, ANI and pin numbers, and anticipate the use of voice printing and caller ID etc., I lay no claim to patenting any of those ideas. *Lucas* and *Elliott* don't really seem to apply to this patent application.

Amended Claims

Claim 1 is currently amended and now reads:

1.   (Currently Amended) A method of configuring a communications system currently utilizing CALL PULL-BACK technology as disclosed in the issued U.S. Patent, Serial No. 6,088,437, dated July 11, 2000. The Objects are first disclosed in the ABSTRACT OF THE DISCLOSURE page 85, lines 16-19, of this patent application. This patent application contains a copy of the issued U.S. Patent CALL PROCESSING, METHOD AND COMPUTER PROGRAM PRODUCT. A copy of said patent is included in the appendix of this patent application at page 85, which is also a copy of page 33 of U.S. Patent CALL PROCESSING, METHOD AND COMPUTER PROGRAM PRODUCT wherein it is stated that the signaling attributes and customer-specific information are controlled by Objects, which are well thought out preprogrammed and proven software constructs that simplify programming and ensure reliable operations. The Objects allow for the creation of client specific structures such as that shown in figure 10 located on page 36 and provide call processing, plug in applications modules, multimedia, messaging, video and voice and video conferencing. Over time, hardware and software upgrades require rewriting of the Objects. What doesn't change is the basic functionality of the OBJECTS as defined in the Object/Class of Service documentation incorporated in the body of this patent application: The OBJ/COS numbers 0 through 511 each contain a sentence reminding an experienced user what that object is for, whether or not that Object is associated with a specific area code, and a more detailed description of the functionality of that Object to be used by those less skilled in configuring a client's application or as a specification used in the rewriting of that Object. Once the functionality of each Object is known, it is a simple matter to rewrite each Object as needed. This method is comprised of the following steps:

Placing a user's mailbox in the appropriate Object. A hypothetical example would be mailbox 1000 has a phone number associated with it and it is placed in Object

51. It would be entered in the user's table as 1000,xxxxxxx,51. Xxxxxxx would equal the 7-digit phone number to be dialed. A caller entering that mailbox number would cause the Call Processor to automatically dial the appropriate access code – in this case, 9 then 1,305 and the 7-digit phone number associated with the mailbox number to the PSTN. Call Pull Back is engaged and if no one answered a greeting would be played and the caller would be offered an option to leave a message. While listening to the greeting the caller could enter another extension number or select a menu choice. The other Objects, while different, are just as simple as Object 51. User definable parameters are such things as security codes, greetings, cell or pager numbers, message waiting times, etc. [Emphasis added.]

If the more detailed explanation for Claim 1 is acceptable then it seems that Claim 2 should be accepted as well. Claim 2 is currently amended and now reads:

2.   (Currently Amended) The method of Claim 1, wherein the predetermined functions are associated with said CALL PULL-BACK mechanism.

In the detailed action, it is stated that Claim 11, which is a system of Claim 10, was rejected under 35 U.S.C. 112. I believe that in light of the amended Claim 1, both Claims 11 and 10 are somewhat redundant with Claim 1. In addition, I find Claims 12 and 13, both of which are systems of Claim 10, are redundant with that stated in the amended Claim 1. In order to simplify matters, I hereby withdraw Claims 10, 11, 12 and 13. Claims 22 and 23 are also somewhat redundant with that stated in the amended Claim 1, so in the spirit of simplifying matters I am withdrawing them as well.

In reviewing the revised patent application submitted herewith, please note that the Call Pull-Back the technology is disclosed in the issued U.S. patent, Serial No. 6,088,437, dated July 11, 2000. This is a previous patent of mine and a copy of this patent is included in the appendix.

Differentiation of this Patent Application and Other Patents

In response to your denial of this patent application under 35 U.S.C. 103 (a), I submit that this patent application is different from and distinguished from other patents.

As per Claim 1 (Page 3). In *Barnhouse*, a review of the BACKGROUND OF THE INVENTION column 1, lines 30 through 67, and column 2, lines 1 through 10, reveals the difficulties *Barnhouse* sought to overcome concerning proprietary software and firmware designed by the switch manufacturer and the difficulties involved in implementing new services or modifications of existing services. The fact that each network contains different switch models from different manufactures requires careful development, testing and deployment of new software. The time frames involved are prohibitive and the problem of differentiating services by the competitors is a difficult one to overcome.

In contrast to *Barnhouse*, my invention has no need to overcome those problems. From the beginning, I centralized the deployment of applications and services, hosting them in my NOCCS. While I could provide services to all 50 states from a single location, I decided on a minimum of two locations separated by a large geographic distance so that I could mirror functionality and messaging in case of a natural or man made disaster. Later that was expanded to four locations for the same reason. In my case, unlike *Barnhouse*, all the hardware was off the shelf, (e.g., SUN gear) and at the same hardware, firmware and software release. I didn't have the legacy problems faced by network owners and was able to concentrate on network protection and developing applications for end users.

The use of the generic term Object isn't the issue. The issue is one of the functionality of the Object. I created specific, defined software Objects that allow non-technical personnel who understand the business needs of a client to rapidly and reliably create, manipulate or destroy a given application. These specific defined software Objects also act as a common operating control in that they issue commands to other servers invoking related applications. These applications provide structure allowing one to create a virtual environment, which may partially or totally mirror the applications, call processing and messaging of a client having a physical corporate location or being scattered across large geographic distances working from various locations such as a home or hotel. All that is necessary is access from any communications device to the network.

These specific, defined software Objects enable one to cost effectively create a custom application for every client, thereby giving a huge advantage to the application creator over a competitor. After carefully reading DEC CIT, it is my belief that it not only does not conflict with this patent application, but that I am doing totally different things.

As per Claim 2 (Page 5). I believe I have demonstrated that there is no equivalency between Claim 2 and the call processor and the communications interface disclosed in *Barnhouse*. Our Objects provide structure and plug in applications enabling a client to continue operation despite man made or natural disasters.

As per Claim 3 (Page 5). For the reasons stated above, I see no equivalency between the Objects disclosed in *Barnhouse* and the Objects disclose in this patent application.

As per Claim 4 (Page 5). There is no equivalency between the Objects disclosed in *Barnhouse* and the Objects disclosed in this patent application, so I'm not sure if this detailed action as per Claim 4 would apply. If you feel it does, I will withdraw Claim 4.

As per Claim 5 (Page 5). *Barnhouse* suggests distribution of functions to network resources or customer systems with interface to activate those functions. That is not what I am claiming. What I am claiming is simply an office in a box. A new customer who has no connection to our network purchases a CD with a license in a box. He puts the CD in his computer and is taken to our Web site. The CD is queried and the user is

allowed to create a simplified Virtual Office application. Larger applications are much more complex and require attention to business detail which may not be obvious to the average user. If you feel these virtual office applications conflict with *Barnhouse* or CIT-DEC, I will withdraw Claim 5.

As per Claims 6, 7, 8 and 9 (Page 6). These Claims are all associated with the virtual office in a box concept. This was never intended to be an application. It is simply purchased and installed on a home computer. This was intended as a marketing method, development and management tool allowing a potential client the ability to construct a simplified virtual office application that resided on the servers in the various NOCCS of our network. I thought it was an interesting concept. To my knowledge, no one has come up with a customizable virtual office that (1) operates on a hardened, secure, clean, hacker resistant network; (2) knew where the user was likely to be and directed all traffic to the last known location of that user first; (3) networked the users of a given client together by processing calls, offering access to other applications and providing mixed media messaging from any device to any device, thereby allowing the outside world to interface with clients just like they were in a traditional corporate or governmental office at a flat monthly rate without metered charges. If you feel this was obvious I will withdraw Claims 6,7,8 and 9.

As per Claims 10 (Page 6), 11, 12 (Page 7) and 13 (Page 8). As previously stated in this document, I believe these are somewhat redundant with that stated in the amended Claim 1, so in the spirit of simplifying matters I am withdrawing them as well.

Claim 14. As Claim 10 is withdrawn and Claim 14 is a system of Claim 10, I will withdraw Claim 14.

Claim 15. As Claim 14 is withdrawn and Claim 15 is also a system of Claim 10, I will withdraw Claim 15.

As per Claim 16 (Page 8). Claim 16 is currently amended and now reads:

16.   (Currently Amended) A computer program product, comprising:
        a computer storage medium and a computer program code mechanism embedded in the computer storage medium for causing a processor to implement a call processing system, utilizing Call Pull-Back.

A computer program code mechanism comprising:

        a first computer code device configured to create a library of preprogrammed software objects capable of performing predetermined functions such as the ability to create, manipulate and destroy a structured virtual environment application with plug in application modules, call processing in both a switched circuit and packet environment, multi-media messaging, video and video and voice conferencing;

a second computer code device configured to store the library of preprogrammed software objects in a digital repository;

a third computer code device configured to select a subset of preprogrammed software objects from the digital repository based on a preselected portion of the predetermined functions;

a fourth computer code device configured to customize the selected preprogrammed software objects based on user defined parameters; and

a fifth computer code device configured to process calls based on the selected programmed software objects as customized with the user defined parameters.

As per Claim 17 (Page 9). If the more detailed explanation for Claim 1 is acceptable then Claim 2 and Claim 17 should then be acceptable as well.

As per Claim 18. Yes, *Barnhouse* discloses a database but there is no equivalency between that disclosed in *Barnhouse* and this patent application. The use of a database is not the issue. The issue is what that database is used for. More importantly, *Barnhouse* doesn't address the ability to create structure and it does not appear that his intent was to create a hardened, redundant, mirrored, encrypted network that scrubbed traffic at the network level to ensure freedom from infection by viruses, worms and so on.

As per Claim 19 (Page 9). Again there is no equivalency between that disclosed in *Barnhouse* and this application. Normally one would note the Objects used in a client's application, their relation to one another and the variables they are populated with, and then create a drawing representing that given client's configuration. What I have done is to create a master drawing stored on a computer that allows the person documenting a given client's configuration to delete from a copy of the master drawing by highlighting the unneeded parts of the drawing and pressing the delete key. What's left is inputting the variables and the client's contact information.

As per Claim 20 (Page 9). If the more detailed explanation for Claim 1 is acceptable, then Claim 2, Claim 17 and Claim 20 should then be acceptable as well.

As per Claim 21 (Page 9). The detailed action references *Barnhouse*, column 14 lines 29 through 59. Our network and the services it provides are billed to a client at a flat rate. Consequently, there are no metered charges and, therefore, there is no need for a session manager to gather billing information. Further, the entire digital portion of the network utilizes burstable bandwidth so no service control class is needed. In reviewing *Barnhouse* column 16 lines 8 through 27, please note the use of a connection manager class. Our network utilizes no connection manager class. We simply use off the shelf equipment for the simple reason that no one funds a network like this unless it operates on off the shelf equipment and utilizes today's proven technology. These days no one funds futures -- particularly on this scale. With this in mind, we devoted our resources to designing a network and developing specific, defined software Objects that provided

applications and services that a client needs and that we stood a chance of marketing. In reviewing CIT-DEC and the definition of parameters in creating call processing functionality, it strikes me that it's similar to the use of a database as set forth above in my comments regarding Claim 18. The use of parameters in creating call processing functionality is not the issue. The issue is what the parameters are used for. While there is call processing involved, my Claim 21 states that said user defined parameters are communication system attributes and as such are a computer product of Claim 16.

As per Claim 22 (Page 10). If the amended Claim 1 above is accepted, then Claim 22 should be accepted as well.

As per Claim 23 (Page 10). If the amended Claim 1 above is accepted, then Claim 2 and Claim 23 should be accepted as well.

As per Claim 26 (Page 10). I withdraw this Claim. In the three years that have passed since the submission of this patent application and its examination I no longer need to lock up bandwidth for a virtual point to point connection. I now utilize packet prioritization and burstable bandwidth.

Claim 27. I withdraw this Claim as well for the reasons stated for the withdrawal of Claim 26.

As per Claim 28 (Page 10). Claim 28 is now currently amended and reads:

28.   (Currently Amended) The system of Claim 22, further comprising:

means for controlling numbering and forwarding from the call or applications processor located within the NOCCS servicing the client.

As per Claim 29 (Page 10). I concur and hereby withdraw Claim 29.

As per Claim 30 (Page 10). The spoken verbiage I am referring to in this Claim is not that of that of the developer's comments or his personal identification. It is the greetings spoken to the caller and the contact information of the client.

As per Claim 31 (Page 11). As there is no equivalency between the Objects disclosed in *Barnhouse* and those disclosed in this patent application I fail to see the rejection.

As per Claim 14 (Page 11). Claim 14 was withdrawn earlier in this document.

As per Claim 15 (Page 11). Claim 15 was withdrawn earlier in this document.

As per Claim 24 (Page 12). Claim 24 addresses disaster resistant communications. As you know, we employ a number of means in addressing this issue. Our intent is to provide a communications network and applications that are capable of

overcoming attempted terrorism, a limited nuclear weapons exchange or allowing those fleeing a radiological or bio-weapons strike to maintain critical communications and even continue functioning though their corporate headquarters or governmental offices may no longer exist or have been rendered inoperable. Some of these means are common sense, such as security. Some may be employed by others by building a hardened communications network such as layering it on top of a self healing optical network or employing redundancy. However, that isn't all we are doing here. Some of this would only apply to someone attempting to do what I am doing. Let me address the latter category.
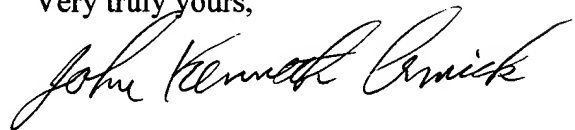
As you are aware, I build custom applications that provide structure by either duplicating part or all of a client's communications and messaging. These applications provide disaster protection by answering calls and automatically redirecting traffic to the last known device the called party used to log in from. In addition, I utilize more common forms of tracking down a client such as allowing clients the ability to redirect traffic to a device of their choosing.

When I create an application for a client, it is hosted in one of the NOCCS and I further ensure the survival of a client's application, i.e., the client's communications, messaging and application structure, by mirroring that application in another NOCC located in another part of the country. These applications and messaging are hot standby copies of one another. If one fails, the other takes over until the damaged application can be restored. The ability of a client to access the network from any communications device is a further improvement.

As per Claim 25 (Page 12). (Withdrawn) I have discovered another means of accomplishing this so that the user's node access as a local call is never exceeded. This method is a trade secret and will not be revealed in this application.

As per Claim 27 (Page 13). (Withdrawn)

Very truly yours,

John Kenneth Amick